IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF GEORGIA

DUBLIN DIVISION

IMA JEAN EVANS,)	
Plaintiff,)	
v.)	CV 315-096
CAROLYN W. COLVIN, Acting Commissioner of Social Security Administration,)))	
Defendant.)))	
	ORDER	

Plaintiff filed the above-captioned Social Security appeal on November 13, 2015, and was granted leave to proceed *in forma pauperis*. (Doc. nos. 1, 4.) On July 6, 2016, Plaintiff moved for an extension of time to file her brief and also moved to perfect the record, indicating the transcript of an Administrative Law Judge's ("ALJ") July 11, 2012 hearing was not included within the existing record. (Doc. no. 17.) Failing to find the transcript, the Court granted Plaintiff's motion for an extension of time, and directed the Commissioner to produce the transcript by July 21, 2016. (Doc. no. 18.)

On July 21, 2016, the Commissioner indicated she was unable to locate the hearing recording or transcript for the July 11, 2012 hearing. (Doc. no. 19, p. 1.) The Commissioner argues the transcript is not needed because the ALJ decision on appeal does not indicate the ALJ relied on any testimony from the July 11, 2012 hearing. (Id. at 1-2.) Plaintiff contends the missing transcript is critical because the ALJ determined Plaintiff was "not credible." (Doc. no.

20, p. 3.)

Upon review of the record and the ALJ's decision, the record as it stands appears to be adequate to decide any issues in Plaintiff's appeal of the June 20, 2014 ALJ decision. Accordingly the Court **ORDERS** Plaintiff to submit her brief within fourteen days. Defendant shall file her brief within forty-five days after service of Plaintiff's brief.

SO ORDERED this 9th day of August, 2016, at Augusta, Georgia.

BRIAN K. EPPS

UNITED STATES MAGISTRATE JUDGE SOUTHERN DISTRICT OF GEORGIA